



Autoridade Nacional da Aviação Civil  
*Portuguese Civil Aviation Authority*

# Accountable Manager

MANAGEMENT SYSTEM  
ORO.GEN.200

# Accountable Manager

## MEANING OF THE TERMS 'ACCOUNTABILITY' AND 'RESPONSIBILITY'

In the English language, the notion of accountability is different from the notion of responsibility.

Whereas **'accountability'** refers to an obligation which cannot be delegated, **'responsibility'** refers to an obligation that can be delegated.

# Management System

## Definitions: **Accountable Manager**

**Accountable:** a person required or expected to justify actions or decisions; (Oxford)

**Manager:** a person responsible for controlling or administering an organization or group of staff; (Oxford)

# ICAO Definition

The term 'Accountable Manager' may be used to describe the single individual who is designated as the person responsible to a Regulatory Authority in respect of the functions which are subject to regulation, and carried out by an aircraft operator.

# ICAO Definition

That person is normally expected to be the person who has corporate authority for ensuring that all operations activities can be **financed** and carried out to the standard required by the Regulator.

# EASA Definition

The operator shall appoint an Accountable Manager, who has the authority for ensuring that all activities can be financed and carried out in accordance with the applicable requirements. The accountable manager shall be responsible for establishing and maintaining an effective **Management System.**

# EASA Definition

The Accountable Manager is ultimately responsible for **Safety**. He/She is responsible for ensuring that sufficient funds are available to run the operation to the required standards and that the **Management** of the organization is structured and staffed with suitably qualified Heads of Functional areas.

# The Accountable Manager role

The accountable manager has overall responsibility for **SAFETY** and must have the authority to ensure that all activities “can be financed and carried out in accordance with the applicable requirements”.

# The Accountable Manager

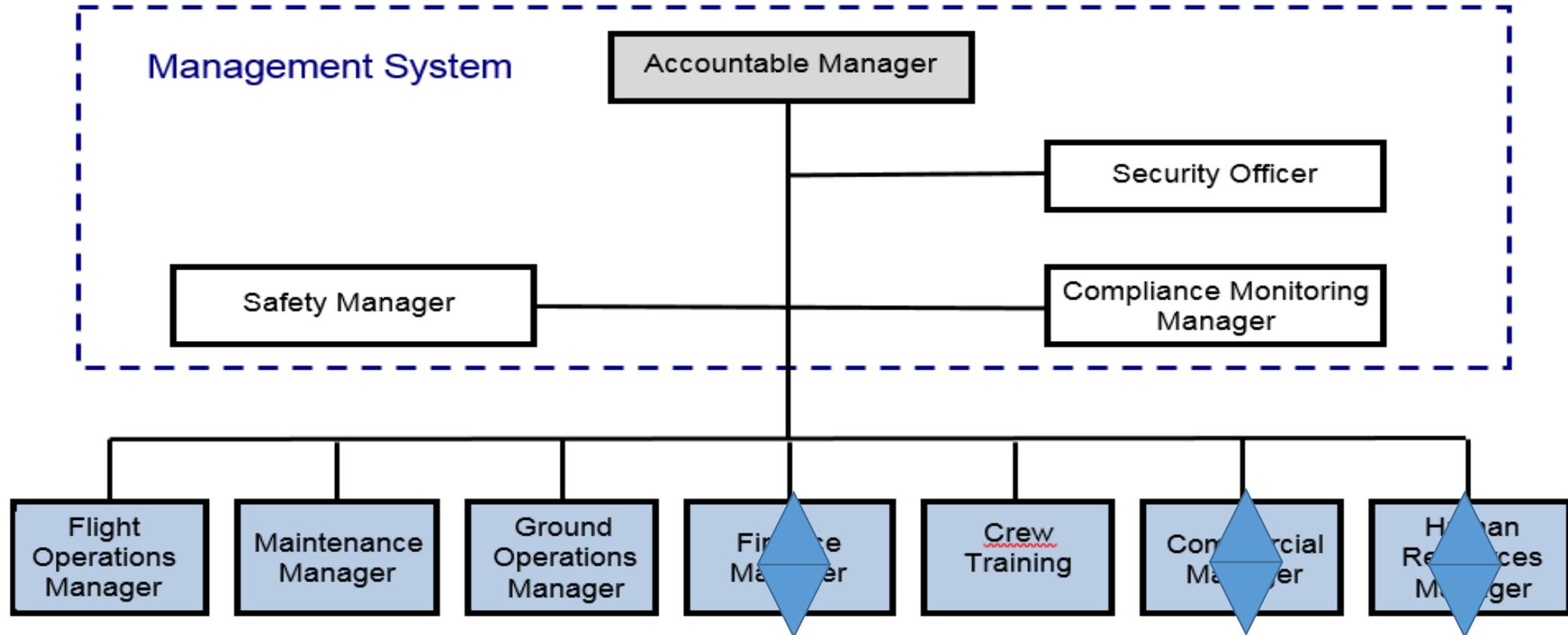
The accountable manager doesn't need to be an expert in air operations (it's more important that he/she is an expert in management), but he/she will need to have a good understanding of aircraft operations and be reasonably familiar with **'the applicable requirements'**. Just as important is that the accountable manager has well qualified people to manage all of the safety critical aspects of the operation. These people are the **'nominated persons'**.

# Nominated Persons

Under the previous regulation (EU-OPs) they were known as **‘post holders’**. The (Air-Ops) regulation requires that commercial air transport operators appoint **‘nominated persons’** for each of the following four areas of responsibility:

- Flight operations
- Crew training
- Ground operations and
- Continuing airworthiness.

# MANAGEMENT SYSTEM



# Nominated Persons

In small or non-complex operations responsibilities can be combined, so there might be one Flight Operations Manager responsible for flight operations and crew training. There is nothing in the regulation about the qualifications required for the different posts (there is only guidance).

❖ ANAC Reg. 831/2010

# Other mandatory management posts

Apart from the accountable manager and the nominated persons there are no other management positions mandated in the **'hard law'**. If we look at the AMC then we find a requirement for a Safety Manager and a Compliance Monitoring Manager.

# Safety Manager

AMC requires an operator to appoint a safety manager. The safety manager is responsible for the administration of the safety management function but is not accountable for safety (that's the Accountable Manager). There is nothing in either AMC or GM about the qualifications necessary to hold the position of safety manager.

# ICAO Doc. 9859

## Definition Safety Management System

A systematic approach to managing safety, including the necessary organizational structures, policies and procedures.

- Identification of aviation safety hazards
- Evaluation of associated risks
- Taking actions to mitigate the risk
- Verify their effectiveness

# Compliance Monitoring Manager

One of the fundamental management system requirements is a compliance monitoring function. The AMC requires an operator to appoint a Compliance Monitoring Manager (this replaces the **'quality manager'** required under EU-OPS). The AMC requires that the compliance monitoring manager should not be one of the **'nominated persons'** and that he/she should have “relevant knowledge background and experience related to the activities of the operator including knowledge and experience in Audit and Inspections”.

# The role of the Competent Authority

Before approving a change the authority has to verify compliance with the applicable requirements, which means checking that the nominee meets the requirements of the post. For nominated persons this will always mean submitting a resume and probably attending an interview.

ANAC Reg. 831/2010

# ORO.GEN.200

## Management System



# EASA Management System

The operator shall establish, implement and maintain a management system that includes:

- clearly defined lines of responsibility and accountability throughout the operator, including a direct **Safety** accountability of the accountable manager;
- a function to monitor **Compliance** of the operator with the relevant requirements. Compliance Monitoring shall include a feedback system of findings to the accountable manager to ensure effective implementation of corrective actions as necessary;

# Management System

## NON-COMPLEX OPERATORS — GENERAL

The operator should identify a person who fulfils the role of **Safety Manager** and who is responsible for coordinating the safety-management-related processes and tasks. This person may be the accountable manager or a person with an operational role within the operator.

# Management System

## COMPLEX OPERATORS — GENERAL

The **Safety Manager** should act as the focal point for the development, administration and maintenance of an effective safety management system.

The functions of the safety manager should be to:

- facilitate hazard identification, risk analysis and management;
- monitor the implementation of actions taken to mitigate risks, as listed in the safety action plan;
- provide periodic reports on safety performance;
- ensure that there is safety management training available and that it meets acceptable standards;

# COMPLEX OPERATORS

## Safety Review Board - SRB

- The Safety Review Board should be a high level committee that considers matters of strategic safety in support of the accountable manager's safety accountability.
- The board should be chaired by the accountable manager and be composed of heads of functional areas.

# Safety Review Board - SRB

## The SRB should monitor:

- Safety performance against the safety policy and objectives;
- Risk mitigations are implemented in a timely manner; and
- Appropriate resources are allocated to achieve the established safety performance.

# COMPLEX OPERATORS

## SAFETY ACTION GROUP - SAG

- A safety action group may be established as a standing group or as an ad-hoc group to assist or act on behalf of the safety review board.
- More than one safety action group may be established depending on the scope of the task and specific expertise required.
- The safety action group should report to and take strategic direction from the safety review board and should be comprised of managers, supervisors and personnel from operational areas.

# COMPLIANCE MONITORING

## AMC1 ORO.GEN.200(a)(6) Management System

*“To ensure that the operator continues to meet the requirements of this Part and other applicable Parts, the accountable manager should designate a **Compliance Monitoring Manager**. The role of the compliance monitoring manager is to ensure that the activities of the operator are monitored for compliance with the applicable regulatory requirements”.*

# Management System

## COMPLIANCE MONITORING

The organizational set-up of the compliance monitoring function should reflect the size of the operator and the nature and complexity of its activities. The compliance monitoring manager may perform all audits and inspections himself/herself or appoint one or more auditors by choosing personnel having the related competence as defined in AMC1 ORO.GEN.200(a)(6).

# Management System

The Compliance Monitoring Manager should be responsible for ensuring that the compliance monitoring programme is properly implemented, maintained and continually reviewed and improved.

The compliance monitoring manager should:

- Have direct access to the accountable manager;
- Be able to demonstrate relevant knowledge, background and appropriate experience related to the activities of the operator, including knowledge and experience in compliance monitoring.

# Management System

## Compliance monitoring programme:

- Schedule of the monitoring programme
- Audit procedures and checklists
- Reporting of findings
- Follow-up and corrective action procedures, and
- Recording system.

# Management System

## COMPLEX OPERATORS — COMPLIANCE MONITORING PROGRAMME

Typical subject areas for compliance monitoring audits and inspections for operators should be, as applicable:

- flight operations;
- ground de-icing/anti-icing;
- flight support services;
- load control;
- technical standards.

# Management System

- operational procedures;
- flight safety procedures;
- operational control and supervision;
- aircraft performance;
- all weather operations;
- communications and navigation equipment;
- mass, balance and aircraft loading;

# Management System

- ground operations;
- flight and duty time limitations, rest requirements, and scheduling;
- aircraft maintenance/operations interface;
- use of the MEL, CDL and revisions;
- flight crew;
- cabin crew;
- dangerous goods;
- security.

# Management System

## Why are we looking at this subject?

- Not unreasonably, experience has shown that the accountable manager has a significant affect on **Safety** and **Compliance** issues;
- That effective SMS and CMS is only as good as the leadership and participants.

# Management System

## Accountable Manager - Legal Responsibilities:

- Your legal responsibilities under the regulations:
  - Financial.
  - Safety performance and standards required.
  - Appointment of nominated persons.
  - Compliance System with the requirements.
  - Quality System.

# FINANCIAL MANAGEMENT

## GM1 ARO.GEN.305(b) Oversight programme

Examples of trends that may indicate problems in a organisation's financial management are:

- significant lay-offs or turnover of personnel;
- delays in meeting payroll;
- reduction of safe operating standards;
- decreasing standards of training;
- withdrawal of credit by suppliers;
- inadequate maintenance of aircraft;

# Management System

## Management System ORO.GEN.200 - 220

# ORO.GEN.200 Management System

**The operator shall establish, implement and maintain a Management System that includes:**

- Clearly defined lines of responsibility and accountability throughout the operator, including a direct safety accountability of the accountable manager;
- A description of the overall philosophies and principles of the operator with regard to safety, referred to as the safety policy;

# ORO.GEN.200 Management System

- The identification of aviation safety hazards entailed by the activities of the operator, their evaluation and the management of associated risks, including taking actions to mitigate the risk and verify their effectiveness;
- Maintaining personnel trained and competent to perform their tasks;

# ORO.GEN.200 Management System

- A function to monitor compliance of the operator with the relevant requirements. Compliance monitoring shall include a feedback system of findings to the accountable manager to ensure effective implementation of corrective actions as necessary; and
- **The Management System shall correspond to the size of the operator and the nature and complexity of its activities, taking into account the hazards and associated risks inherent in these activities.**

# Safety Management System

## ICAO Doc. 9859- Definition

A systematic approach to managing safety, including the necessary organizational structures, accountabilities, policies and procedures.

- Identification of aviation safety hazards
- Evaluation of associated risks
- Taking actions to mitigate the risk
- Verify their effectiveness

# ORO.GEN.205 Contracted activities

Contracted activities include all activities within the operator's scope of approval that are performed by another organization either itself certified to carry out such activity or if not certified, working under the operator's approval. The operator **shall ensure** that when contracting or purchasing any part of its activity, the contracted or purchased service or product conforms to the applicable requirements.

# ORO.GEN.210 Personnel requirements

A person or **group of persons shall be nominated** by the operator, with the responsibility of ensuring that the operator remains in compliance with the applicable requirements. Such person(s) shall be ultimately responsible to the accountable manager.

***(GM 2.ORO.AOC.135 (a))***

# ORO.GEN.215 Facility requirements

The operator shall have facilities allowing the performance and management of all planned tasks and activities in accordance with the applicable requirements.

# NON-COMPLEX OPERATORS

## NON-COMPLEX OPERATORS

### AMC1 ORO.GEN.200(a)(1);(2);(3);(5) Management system

(a) Safety risk management may be performed using hazard checklists or similar risk management tools or processes, which are integrated into the activities of the operator.

# Management of Change

The operator should manage safety risks related to a change. The **Management of Change** should be a documented process to identify external and internal change that may have an adverse effect on safety. It should make use of the operator's existing hazard identification, risk assessment and mitigation processes.

# Safety Manager - ERP

The operator should, in cooperation with other stakeholders, develop, coordinate and maintain an **Emergency Response Plan** (ERP) that ensures orderly and safe transition from normal to emergency operations and return to normal operations. The ERP should provide the actions to be taken by the operator or specified individuals in an emergency and reflect the **size, nature and complexity** of the activities performed by the operator.

# COMPLEX OPERATORS

## Safety Manager

The safety manager should act as the focal point and be responsible for the development, administration and maintenance of an effective safety management system.

- The functions of the safety manager should be to:
  - facilitate hazard identification, risk analysis and management;
  - **Monitor** the implementation of actions taken to mitigate risks, as listed in the safety action plan;

# COMPLEX OPERATORS

- provide periodic reports on safety performance;
- ensure that there is **safety management training** available and that it meets acceptable standards;
- provide **advice on safety matters**; and
- ensure initiation and follow-up of internal occurrence / accident investigations.

# SIZE, NATURE AND COMPLEXITY OF THE ACTIVITY

...“should be considered as complex when it has a workforce of more than **20 full time equivalents**”...

Or...

“in terms of **complexity**, the extent and scope of contracted activities subject to the approval”

“in terms of **risk criteria**, whether any of the following are present”:

...“specific approvals: (PBN), (LVO), (ETOPS), and (DG);

(ii) **different types of aircraft** used;

(iii) **the environment** (offshore, mountainous area etc.).

# COMBINATION OF NOMINATED PERSONS RESPONSIBILITIES

The acceptability of a single person holding several posts, possibly in combination with being the accountable manager, should depend upon the nature and scale of the operation. The two main areas of concern should be competence and an individual's capacity to meet his/her responsibilities.

As regards competence in different areas of responsibility, there should not be any difference from the requirements applicable to persons holding only one post.

# NOMINATED PERSONS

## GM1 ORO.AOC.135(a) Personnel requirements

The smallest organization that can be considered is the **one-man organization** where all of the nominated posts are filled by the accountable manager, and **audits are conducted by an independent person.**

# Risk-based oversight

The Accountable Manager, who has a direct accountability for **Safety** to the Authority and those that appoint him or her, must be able to clearly demonstrate they have sufficient funds, manpower and influence to rectify deficiencies identified by the management system.

# Risk-based oversight

It is clear that in the new risk-based, continuous safety improvement, performance-driven regulatory environment, the Competent Authority will be saying:

- **‘Please demonstrate how you are managing your safety risks (*and show that you have met the intent of the new rules*)’**
- and
- **‘Show me evidence that this has been effective’**

# The new EASA rules state:

The Regulator is required to assess the effectiveness of the Management System as well as compliance with applicable requirements.

**If the Management System is not effective, the validity of the Air Operator's Certificate will be called into question.**

# The new EASA rules state:

The Regulator will also establish a direct line of accountability from the Accountable Manager to the Competent Authority as well as to those who appoint them, therefore, it would be unacceptable to deny the Accountable Manager sufficient funds, manpower or influence to rectify deficiencies identified by the Management System.

# The new EASA rules state:

As a crucial component of the oversight programme the Competent Authority, when performing an audit, will focus on the organization's compliance monitoring function (CMF) to determine if the organization is identifying and correcting its problems. There is a requirement for the CMF to have a direct line of communication to the Accountable Manager whose responsibilities and accountabilities have been clearly stated. Thus, the CMF acts as the Accountable Manager's eyes and ears and a key part of the management system.

# Operator's Problems

- We have published a safety policy and safety manual, yet our SMS is not working: why?
- How do we generate a Just Culture and what will it do for our business?
- We constantly have repeat compliance failures even though we have a good SMS?
- As an Accountable Manager what do I need to do to understand where the risks are in my business?
- How do we develop a strategy for safety and deliver the necessary plan to make it effective?

# The Accountable Manager is responsible for:

- setting corporate safety policy;
- setting safety targets and objectives;
- ensuring that managers are committed to safe operations;
- providing sufficient resources for safe operations;
- providing sufficient independent Compliance Monitoring;
- enabling and maintaining a ‘just culture’ throughout the organization;
- effective Compliance Monitoring.

# SMS

## The essential is invisible to the eyes

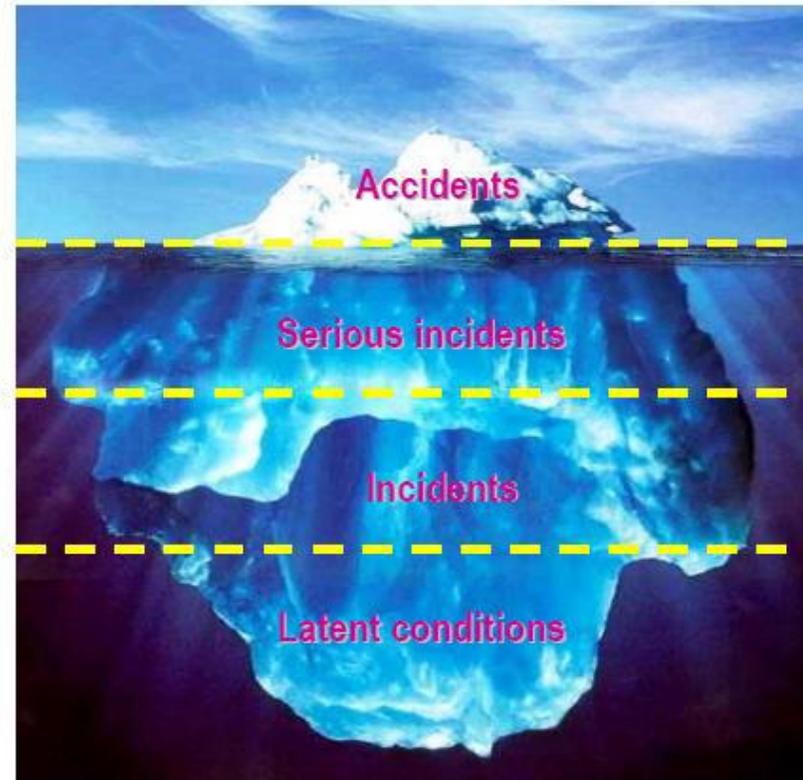
Number of occurrences

**1 - 5**

**30 - 100**

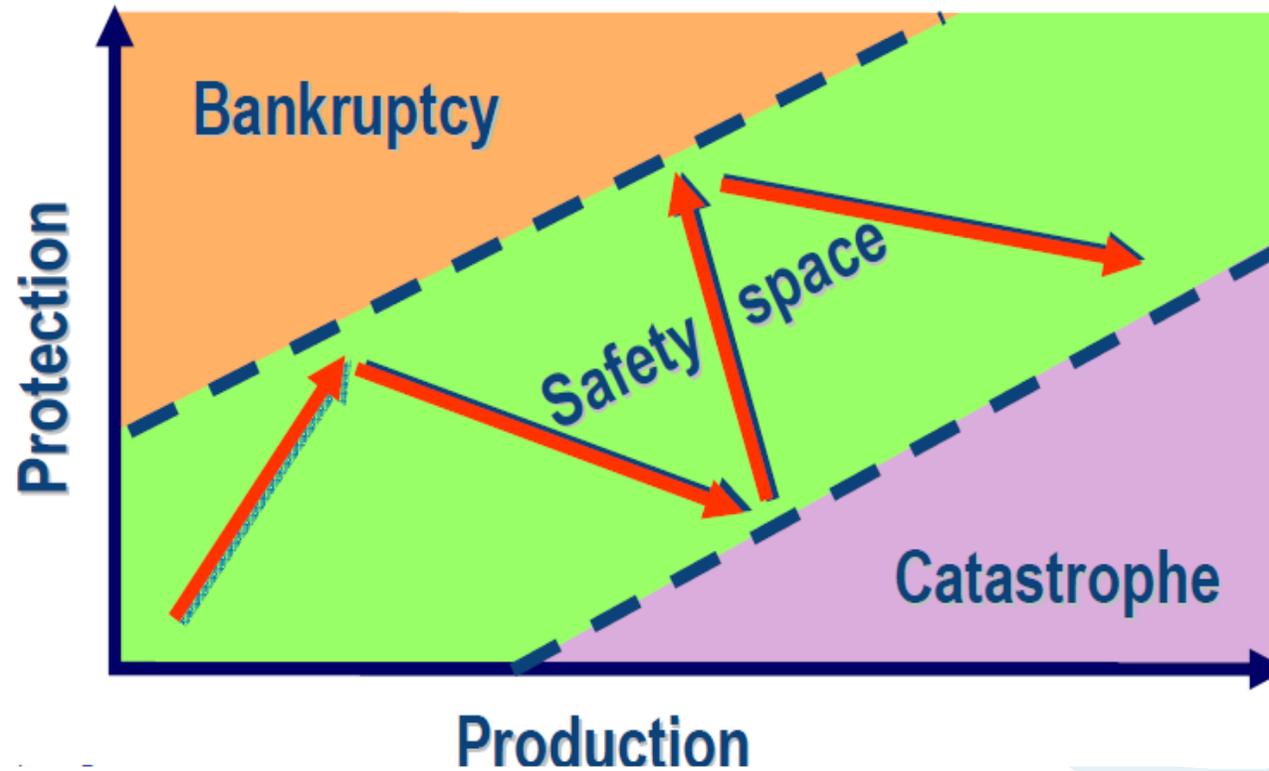
**100 - 1000**

**1000 - 4000**



# SMS

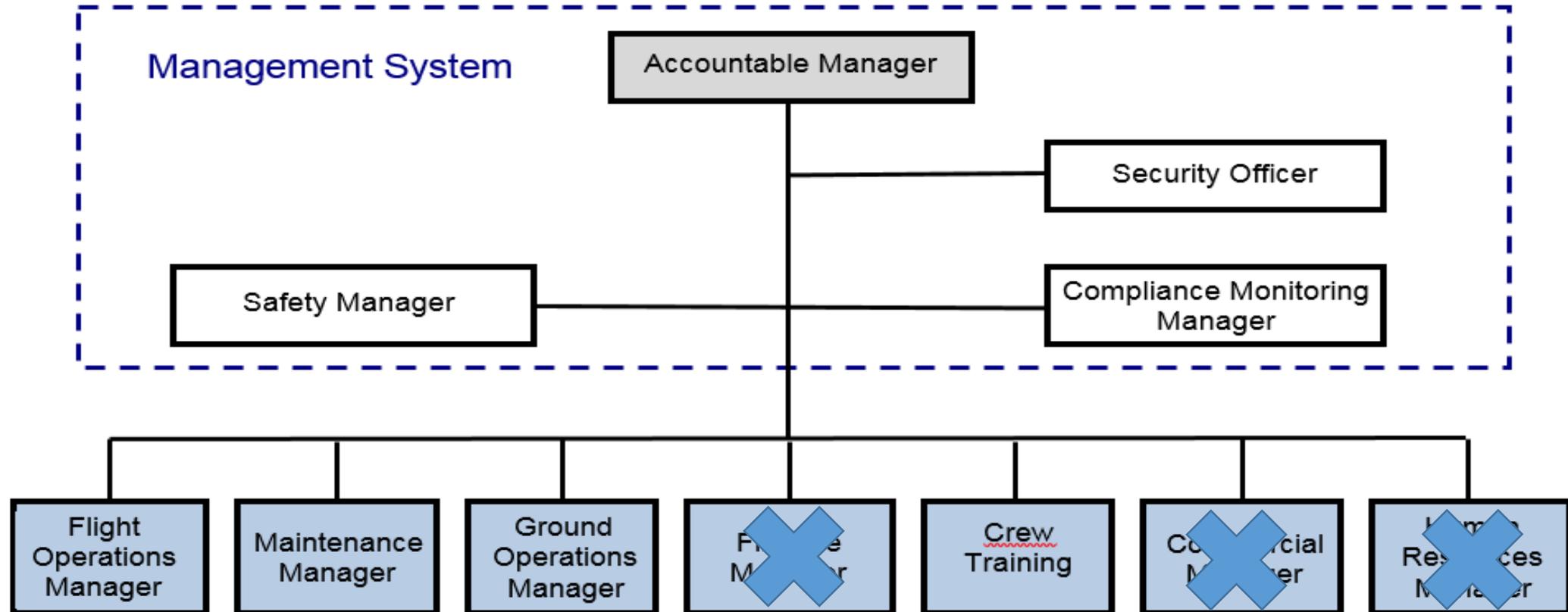
## Navigating the Safety Space – the Challenge



# Management System

**THANK YOU FOR ATTENTION**

# MANAGEMENT SYSTEM



# Título

- Texto

